

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

SHOHJAHONMIRZO
ABDULMALIKOV,

Defendant.

CASE NO. 3:24-cv-05786-DGE

ORDER EXTENDING
TEMPORARY RESTRAINING
ORDER (DKT. NO. 9)

This matter comes before the Court on the Parties' stipulation to extend the temporary restraining order entered by the Court on September 20, 2024, with modifications discussed on the record. (Dkt. No. 9.) On September 19, 2020, the United States Department of Homeland Security, Immigration and Customs Enforcement ("ICE"), by and through the United States Attorney for the Western District of Washington, filed an ex parte emergency motion for a temporary restraining order permitting the Government to immediately perform involuntary medical monitoring, testing, and physical examinations, as well as the administration of involuntary hydration intravenously and nutrition via nasogastric tube, for Shohjahonmirzo

1 Abdumalikov, who is currently being held as a civil detainee at the Northwest ICE Processing
2 Center (“NWIPC”) in Tacoma, Washington. The Court granted the motion and set a preliminary
3 injunction hearing for October 2, 2024, at 11:00 a.m. (Dkt. No. 9.) At the hearing, the Parties
4 stipulated to a week-long extension of the temporary restraining order, as modified in discussions
5 on the record. (*See* Dkt. No. 18.)

6 Accordingly, the Court extends the temporary restraining order (Dkt. No. 9) with the
7 following modifications:

8 IT IS HERBY ORDERED that ICE may undertake necessary medical treatment and
9 testing to save Abdumalikov’s life and prevent injury, including:

- 10 1. Physical examinations, including daily weight assessments and frequent vital sign
11 checks;
 - 12 2. Laboratory tests, consisting of:
 - 13 a. Complete metabolic panel. This test reveals an increase in markers of
14 kidney function in view of any renal injury. The panel tests include: BUN
15 (blood urea nitrogen), creatinine level, and proteins. It also reveals
16 electrolyte disturbances as potassium, phosphate, magnesium and glucose
17 levels.
 - 18 b. Complete blood count. This test reveals the hemoglobin level.
 - 19 c. Urinalysis, which reveals the presence of ketones, blood and crystals in
20 the urine.
 - 21 d. Thiamine levels to assess deficiency after day 14 of a hunger strike.
 - 22 e. Electrocardiogram, if the patient shows elevated potassium, which can
23 lead to arrhythmias.
- 24

1 f. Creatine phosphokinase (CPK), which is an enzyme found inside muscle
2 cells and is released into the blood when the muscle cells rupture. The
3 increase in CPK can lead to the breakdown of muscle tissue that can
4 fatally damage other vital organs.

5 g. Pre-albumin levels. Pre-albumin is used as a marker for nutritional status
6 evaluation, and levels will decrease over time the longer a patient fails to
7 consume adequate nutrition. The pre-albumin level correlates with patient
8 morbidity and mortality risk. Normal pre-albumin is 15-35 mg/dL. When
9 pre-albumin falls to 5-11 mg/DL, significant morbidity risks exist and
10 aggressive nutritional support is necessary.

11 This temporary order expires on October 11, 2024. *See* Fed. R. Civ. P. 65(b)(2). The
12 Court ORDERS the Parties to file a stipulation, as discussed on the record at the preliminary
13 injunction hearing, or to file a stipulated proposed order extending the temporary order no later
14 than 12:00 p.m. on **October 10, 2024**. In the event the Parties cannot reach agreement on the
15 stipulation, the Parties shall inform the Court by 12:00 p.m. on October 10, 2024. If the Parties
16 are unable to reach agreement, they should expect to receive a notice of a status hearing that will
17 be scheduled for October 11, 2024, to discuss the dispute.

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19 Dated this 4th day of October, 2024.

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24 David G. Estudillo
United States District Judge